THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No. 33527 OF 1997

Date: 28.03.2007

Between:

S. Srinivasulu.

... Petitioner

and

The A.P.S.E. Board rep., by its Member-Secretary, Vidyut Soudha, Hyderabad and two others.

...

Respondents.

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No. 33527 OF 1997

ORDER:

Aggrieved by the inaction of the respondents, in not considering his case for appointment to the post of Lineman/Helper/Over-seer/Tester/Sub-Engineer, having regard to his qualifications, the present writ petition is filed. The petitioner completed his Diploma in Electrical Engineering in 1992 and his Technician Apprentice Training of one year i.e., from 22.04.1994 to 22.04.1995 under the jurisdiction of the second respondent. The petitioner relies on the judgment of the Supreme Court in **U.P. Road Transport Corporation Vs. Parivahan Nigam Shishukhs Borangar Singh**[1] which requires preference to be given to apprentices in employment.

The petitioner filed W.P. No. 29537 of 1997 and this Court disposed of the writ petition with a direction that his case be considered as per the judgment of the Supreme Court as and when vacancies for the posts of Linemen /Helper/Overseer/Tester/Sub-Engineer were notified. In the present writ petition, this Court by order in W.P.M.P. No. 4878 of 1991 dated 09.09.1997 directed that the petitioner's case be considered. In compliance with the interim orders of this Court, the second respondent issued letter dated

05.08.1998 informing the petitioner that his case be would considered, along with others at the time of direct recruitment as and when a notification was issued for such recruitment The judgment in **U.P. State Road Transport Corporation**[1], requires preference to be given for apprentices in the matter of direct recruitment as and when direct recruitment is resorted to. As to when direct recruitment should be resorted to are all matters for the respondents to decide and not for this Court to direct. Suffice it if the order of the Superintending Engineer, Mahaboobnagar in proceedings dated 05.08.1998 wherein the petitioner was informed that his case would be considered along with others at the time of direct recruitment and as when such recruitment is notified, is taken on record.

Smt. K. Sesharajyam, learned Counsel for the petitioner, would express apprehension that, instead of notifying posts to be filled in by direct recruitment by way of publication in news papers, the respondents were calling for a list of eligible candidates from the employment exchange and appointing them on contract basis. The proceedings of the second respondent dated 05.08.1998 clearly provides that the petitioner's case would be considered along with others at the time of direct recruitment and as and when the State Electricity Board notified such recruitment. The notification for filling up posts by direct recruitment can be either by way of publication in the news papers or by calling for a list of eligible candidates from the employment exchange. The statement of the second respondent in his proceedings 15.07.1998 is taken on record and in accordance therewith the case of the

petitioner shall be considered along with others whenever direct recruitment is resorted to by the respondent Board.

The writ petition is disposed of accordingly.

_____

Date: 28.03.2007 RAMESH RANGANATHAN, J

MRKR

---

[1] AIR 1995 SC 1115